



Federal Communications Commission
Washington, D.C. 20554

**INVITATION TO TRIBAL GOVERNMENTS TO CONSULT ON
A DRAFT TRIBAL COMMUNICATIONS SECURITY PLAN
AND RECENT DEVELOPMENTS MANDATING INTEROPERABILITY
IN PUBLIC SAFETY COMMUNICATIONS**

Scoping Document for American Indian Tribes and Alaska Native Villages
June 18, 2004

The critical infrastructure of our Nation includes telecommunications and information systems. Telecommunications systems are vital to achieve homeland security and public safety objectives and to connect governments and communities. The Homeland Security mission of the Federal Communications Commission (FCC) is to evaluate and strengthen measures for protecting the Nation's communications infrastructure; facilitate rapid restoration of that infrastructure in the event of disruption; and develop policies that promote access to effective communications services by public safety, public health, and other emergency personnel in emergency situations. To meet these objectives, the FCC announced its Homeland Security Action Plan (Action Plan) on July 10, 2003. One of the goals of the Action Plan is to work together with Tribes, Tribal organizations and leaders and other relevant federal government agencies develop a plan that tribes can use to assist in protecting communications infrastructure. As the FCC has certain trust responsibilities when dealing with federally-recognized Tribes, it is the responsibility of the FCC to consult with and assist Tribal governments on telecommunications matters.¹

In order to meet these important Homeland Security goals, the FCC has developed a Draft Tribal Communications Security Plan (Draft Plan) to assist Tribes as they plan to protect critical communications infrastructure on Tribal lands and inform Tribes of recent developments in federal Homeland Security policies that mandate nation-wide interoperability in public safety communications. Pursuant to the Action Plan, FCC staff began preparing the attached Draft Plan in the spring of 2004. This scoping document summarizes the Draft Plan and highlights potential subjects for Tribal consultation. The FCC invites and encourages Tribal consultation and participation in the finalization of this Draft Plan.

I. Provisions of the Draft Tribal Communications Security Plan

The first section outlines the FCC's Homeland Security goals with respect to the Tribes, gives an overview of the organizational processes and policies which the FCC has drawn upon to create the Draft Plan and includes an executive summary of the Draft Plan.

The second section is a step-by-step Draft *Communications Vulnerabilities Assessment Worksheet (Worksheet)*, designed to assist Tribal Governments in planning for the physical protection of critical communications infrastructure in their communities. Drawing upon

¹ See In the Matter of Statement of Policy on Establishing a Government-to-Government Relationship with Indian Tribes, 16 FCC Rcd. 4078 (2000).

selected materials and voluntary Best Practices of the Network Reliability and Interoperability Council (NRIC), the *Worksheet* provides a framework to identify a Tribe's critical communications infrastructure and analyze potential vulnerabilities. The selected voluntary Best Practices provides recommended solutions to address such vulnerabilities.

The third section pertains to public safety communications and outlines the National Incident Management System (NIMS), recently promulgated by the Secretary of the Department of Homeland Security, as well as the National Response Plan (NRP). The NIMS is a template that enables Federal, State, Local and Tribal governments, and private-sector and nongovernmental public safety organizations, to prepare for, prevent, respond to and recover from domestic incidents. The NIMS requires interoperable communications systems for both incident and information management. The NRP integrates current Federal domestic prevention, preparedness, response, and recovery plans into a single all-discipline, all-hazards plan for responders. The NRP, using the NIMS framework, provides structure for national level policy and operational direction for federal support to State, Local and Tribal incident managers and for exercising direct federal authorities and responsibilities.

II. Issues for Consideration

In order to facilitate the productive exchange of ideas, we highlight the following issues that we believe may uniquely impact tribes and about which we are especially interested in receiving your ideas, recommendations and suggestions.

- **Adequacy of Draft Plan** – Does this plan provide adequate structure and sufficient information to assist Tribes in protecting Communications infrastructure on or serving Tribal lands?
- **Communications Vulnerabilities Assessment Worksheet** – Does the *Worksheet* (page 6) adequately identify potential vulnerabilities to stimulate Tribal planning and review of communications infrastructures? Using the *Worksheet* as a template and framework for planning, can Tribal planners create individual *Worksheets* to identify, assess and remediate the vulnerabilities in their own communications infrastructure?
- **Public Safety Communications** – Given the Homeland Security mission of the FCC to develop policies that promote access to effective communications services by public safety, public health, and other emergency personnel in emergency situations, in what ways can the FCC, through outreach and coordination with tribal governments, assist Tribal planners in complying with the requirements of the NIMS and assist with the effective implementation of NIMS and the NRP in Indian Country? How do the requirements of the NIMS or NRP, as they implicate public safety communications and mandate interoperability, significantly or uniquely affect Tribal governments, their land and resources?

This list of issues is illustrative only and is not intended to preclude discussion of any other issues that federally-recognized American Indian tribes and Alaska Native Villages may deem important. We encourage discussion of any issues identified in the Draft Plan and look

forward to you and your Tribe's involvement in this task as we work together to ensure that the nations of Indian Country enjoy the integration and benefits of a secure homeland.

Tribal government representatives wishing to consult with the FCC on this Draft Plan may contact representatives of the Office of Intergovernmental Affairs, within the FCC's Consumer & Governmental Affairs Bureau. Inquiries should be directed to Geoffrey Blackwell, Senior Attorney and Liaison to Tribal Governments, at 202-418-8192, geoffrey.blackwell@fcc.gov; and Gayle Teicher, Senior Attorney, at 202-418-1515, gayle.teicher@fcc.gov, and arrangements will be made for a consultation session on this matter. Please visit the FCC's Tribal Initiatives website at www.fcc.gov/indians for further information and updates.